



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER OF  
PATENTS AND TRADEMARKS  
Washington, D.C. 20231

**Paper No. 6**

**Gerald P. Parsons  
Majestic Parsons Siebert & Hsue  
Four Embarcadero Center  
Suite 1100  
San Francisco, CA 94111-4106**

**COPY MAILED**

**JAN 20 1999**

**SPECIAL PROGRAMS OFFICE  
DAC FOR PATENTS**

**In re Application :  
Daniel L. Auclair et al. :  
Application No. 08/908,265 :  
Filed: August 7, 1997 :  
Attorney Docket No. HARI-2600 :**

**ON PETITION**

**This is a decision on the petition under 37 CFR 1.137(b), filed July 8, 1998 and supplemented on July 13, 1998, to revive the above-identified application and the petition for a four-month extension of time, which is being treated as a petition for a five-month extension of time.**

**The petition for a five-month extension of time is granted.**

**Pursuant to the provisions of 37 CFR 1.136(a), extensions of time are available up to five months since the time period for responding to the Notice to File Missing Parts is not subject to the six-month maximum period specified in 35 USC 133. *Note Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131 (October 10, 1997), 1203 Off. Gaz. Patent Office 63 (October 21, 1997).* The petition to revive and reply were filed prior to the expiration of the extendible time period provided by 37 CFR 1.136(a). Accordingly, since extensions of time were available at the time of the filing of the petition to revive and reply, the petition to revive is unnecessary and is dismissed as moot.**

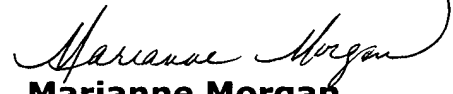
**The \$550 balance due for the five-month extension of time fee will be charged to petitioner's Deposit Account No. 13-1030. The fee of \$1320 for the petition under 37 CFR 1.137(b) charged on July 8, 1998 will be credited thereto.**

**The file is being forwarded to Technology Center 2700, Art Unit 2786, for further processing.**

**Telephone inquiries concerning this matter may be directed to the undersigned at (703) 308-6911.**



**Latrice A. Bond  
Legal Instruments Examiner  
Office of Petitions  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects**



**Marianne Morgan  
Petitions Examiner**